

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO**

In re:

DAVID GARDUNO

Debtor

Case No. 10-10-12339-s7

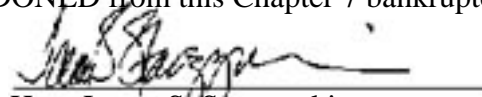
ORDER ABANDONING PROPERTY OF THE ESTATE

This matter comes before the Court upon the Motion of Interested Party Tortilla, Inc. to compel certain property of the estate. (the "LLC Abandonment Motion", docket #25,) filed on June 23, 2010. The property consists of the debtor's membership interest in Garduno Family Investments, LLC, which is a single-member LLC owned by the debtor, and which LLC owns two former restaurant properties located at 8806 Fourth Street NW, Albuquerque, NM and 10551 Montgomery NE, Albuquerque, NM

After reviewing the Motion and the Court file, the Court **FINDS:**

1. On June 5, 2010 the Chapter 7 Trustee filed her *Trustee's report of No Distribution*, stating that there is no property available for distribution from the estate.
2. The Motion to Compel Abandonment of the debtor's interest in Garduno Family Investments, LLC was filed June 13, 2010. (Doc. #25)
3. Notice of the Motion was mailed to all creditors and parties in interest on June 23, 2010, allowing 14 days (+ 3 days for mailing) for objections. (Doc. #26)
4. The objection deadline expired July 12, 2010. No objections to the LLC Abandonment Motion have been filed.
5. The debtor's interest in Garduno Family Investments, LLC is burdensome or of inconsequential value to the estate.

IT IS THEREFORE ORDERED that the debtor's interest in Garduno Family Investments, LLC be, and is hereby ABANDONED from this Chapter 7 bankruptcy estate.



Hon. James S. Starzynski
United States Bankruptcy Judge

Entered on Docket Date: July 14, 2010

Prepared and Submitted by:
MOORE, BERKSON & GANDARILLA, P.C.

Submitted via e-mail

Daniel J. Behles, of Counsel

Attorney for Debtor

P.O. Box 7459

Albuquerque, NM 87194

505-242-1218 – Fax 505-242-2836

email: Dan@Behles.com